

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION**

**TCF EQUIPMENT FINANCE, a division  
of TCF NATIONAL BANK**

**Plaintiff,**

**v.**

**SITWORK SPECIALTIES UTILITIES  
& EXCAVATING LLC, BILLY JOE  
SPEARS, and MANDY SPEARS,**

**Defendants.**

**NO. 1:18-cv-00039**

**JUDGE CAMPBELL**

**MAGISTRATE JUDGE FRENSELY**

**ORDER**

Pending before the Court is the Magistrate Judge's Report and Recommendation (Doc. No. 50), which was filed on October 22, 2020. Through the Report and Recommendation, the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment (Doc. No. 48) be granted and that Plaintiff be awarded judgment against Defendants Sitework Specialties Utilities & Excavating LLC, Mandy Lee Spears, and Billy Joe Spears in the amount of \$66,000.60 plus interest accruing after May 26, 2020, at the rate of \$10.81 per day. The Defendants have not responded to Plaintiff's Motion for Summary Judgment, which was filed on June 1, 2020. Although the Report and Recommendation advised the parties that any objections must be filed within 14 days of service, no objections have been filed.


The Court has reviewed the Report and Recommendation and concludes it should be adopted and approved. Accordingly, Plaintiff's Motion for Summary Judgment (Doc. No. 48) is **GRANTED**, and Plaintiff is **AWARDED** judgment against the Defendants in the amount of \$66,000.60 plus interest accruing after May 26, 2020, at the rate of \$10.81 per day. The pretrial

conference, scheduled for November 9, 2020, and bench trial, set for November 17, 2020, are canceled.

This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

The Clerk is directed to close the file.

It is so **ORDERED**.

  
WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE